IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Bail Appl..No. 1482 of 2007()

Crime No.190/2004 of Chittarikkal Police Station

PETITIONER :

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1. KUNHOOTTY @ MATTATHIL AUGUSTHY,
   AGED 55 YEARS, S/O.ABRAHAM, MATTATHIL VEEDU,
   KANIKKULAM.

2. P.C.BABY @ P.V.JOSE,
   AGED 43 YEARS, S/O.CHACKO,
   PULIMOOTTIL VEEDU, PINIKADAVU.

3. UNNEESHWO JOY @ P.J.JOY,AGED 48 YEARS,
   S/O.JOSEPH, IDAPPALLIL VEEDU, THAYANNUR,
   CHITTARIKKAL.

4. M.A.ANEESH, AGED 28 YEARS,
   S/O.KUNHOOTTY @ AUGUSTHY,
   MATATHIL VEEDU, KANIKULAM.

BY ADV. SRI.M.SANTHOSHKUMAR

RESPONDENTS:

S.H.O. CHITTARIKKAL POLICE STATION IN
CRIME NO.190/2004 REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1482 OF 2007 A

Dated this the 13th day of March, 2007

O R D E R

Petitioners, who are accused Nos.1 to 4 in Crime No.190/2004 of Chittarikkal Police Station for an offence punishable under section 306 read with section 34 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that accused Nos.1 to 4 and the deceased were vehicle brokers and on account of some vehicle transaction in which the deceased owed money to accused Nos.1 to 4, the latter used to harass and threaten the deceased and the deceased had finally committed suicide on 31.10.2004. Deceased is also alleged to have petitioned to the Chief Minister against threatening and harassment by the accused persons.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 19.3.2007 and 21.3.2007 for

the purpose of interrogation. They shall, thereafter, be produced on the same day before the concerned Magistrate, who shall release them on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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